

Notice of Allowability

Application No.

09/995,770

Examiner

Vu B. Hang

Applicant(s)

YAMANO, AKIRA

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed on 11/03/2006.
2. ☒ The allowed claim(s) is/are 1-28, 30-54 and 58-85 (renumbered 1-81 respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


TWYLER LAMB
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

- This office action is responsive to the following communication: After Final Amendment filed on 11/03/2006.
- Claims 29 and 55-57 have been cancelled. Claims 59-85 have been entered and made of record.
- Claims 1-28, 30-54 and 58-85 (renumbered 1-81 respectively) are allowed.

Response to Amendment

1. Applicant's amendment received on 11/03/2006 has been entered and made of record. Currently, **Claims 1-28, 30-54 and 58-85** are pending in the application.

Allowable Subject Matter

2. Regarding **Claim 1**, in the examiner's opinion, it would not have been obvious to have the invention, as claimed, further include the features of having a print section that "prints at least one a sharpness-evaluating pattern and a granularity-evaluating pattern, and wherein the sharpness-evaluating pattern includes more than four kinds of pattern elements, spatial frequencies of the pattern elements are different relative to each other and in each of which 1 to 20 periods of each spatial frequency is aligned". The closest prior art, cited Boxma (US Patent 5,721,623) and Stemme (US Patent 4,344,683), teaches an apparatus for printing a medical image and sharpness-evaluating test patterns on a recording medium. Boxma discloses an apparatus for printing a medical image on a recording medium (see Fig.1 and Col., Line 57-67), comprising: a printing section to print either a medical image or a test pattern for evaluating a

Art Unit: 2625

quality of a medical image, on a recording medium, based on the image data (see Fig.1 and Col.2, Line 64-67); a printing condition setting section to set a printing condition for printing a test pattern (see Col.4, Line 4-8 and Col.5, Line 51-52); and a printing condition displaying section to display the printing condition set by the printing condition setting section (see Col.6, Line 6-12). Stemme further discloses the printing of a sharpness-evaluating test pattern along with a photographic image on a film (see Fig.1 (2), Fig.2, Col.2, Line 15-25 and Col.3, Line 33-45), and wherein the sharpness-evaluating test pattern includes at least three kinds of pattern elements (see Fig.2 (e-f) and Col.3, Line 33-45).


3. Boxma and Stemme fail to particular teach a print section that “prints at least one a sharpness-evaluating pattern and a granularity-evaluating pattern, and wherein the sharpness-evaluating pattern includes more than four kinds of pattern elements, spatial frequencies of the pattern elements are different relative to each other and in each of which 1 to 20 periods of each spatial frequency is aligned”. Therefore, because of these features, which were added in the amendment dated 11/03/2006, **Claim 1** is rendered allowable. **Claims 1-28, 30-54 and 58-85** are also rendered allowable as they depend on Claim 1.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vu B. Hang whose telephone number is (571) 272-0582. The examiner can normally be reached on Monday-Friday, 9:00am - 6:00pm.
6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Vu Hang
Assistant Examiner



TWYLER LAMB
SUPERVISORY PATENT EXAMINER